

# **EXHIBIT A**

**SILVERS, LANGSAM & WEITZMAN, P.C.**  
 BY: JOHN A. LORD, ESQ.  
 IDENTIFICATION NUMBER 16070  
 SUITE 1410, TWO PENN CENTER PLAZA  
 15<sup>th</sup> & JOHN F. KENNEDY BOULEVARD  
 PHILADELPHIA, PA 19102  
 (215) 227-2727

**THIS IS A MAJOR JURY CASE**  
 Filed and Attested by the  
 Office of Judicial Records  
 10 JUN 2022 02:08 pm  
 S. RICE  
 JUDICIAL DISTRICT OF PENNSYLVANIA

**ATTORNEY FOR PLAINTIFF**

LINDA FOREACRE  
 304 Walnut Avenue  
 Aldan, PA 19018

Plaintiff

vs.

WAL-MART STORES, INC.  
 Wal-Mart Store  
 50 N MacDade Boulevard  
 Glenolden, PA 19036

Defendant

COURT OF COMMON PLEAS  
 PHILADELPHIA COUNTY

JUNE TERM, 2022

NO.

**COMPLAINT - CIVIL ACTION**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Philadelphia Bar Association  
 Lawyer Referral  
 and Information Service  
 One Reading Center  
 Philadelphia, PA 19107  
 (215) 238-6333

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

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 One Reading Center  
 Filadelfia, Pennsylvania 19107  
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PHILADELPHIA COUNTY

JUNE TERM, 2022

NO.

**CIVIL ACTION COMPLAINT - 2S**  
**PREMISES LIABILITY - SLIP AND FALL**

1. Plaintiff, Linda Foreacre, is an adult individual who resides at the above-captioned address.
2. Defendant Wal-Mart Stores, Inc. ("Wal-Mart") is a Delaware corporation for profit, headquartered in Arkansas, with a place of business located at the above-captioned address, and is amenable to suit within the Commonwealth of Pennsylvania.
3. At all times relevant hereto, Defendant Wal-Mart regularly conducted business within the Commonwealth of Pennsylvania and the City and County of Philadelphia as an international retail company, engaged in the business of selling all types of consumer products in many places around the United States and the world, including several Wal-Mart stores in the City and County of Philadelphia that regularly advertise in various ways in Philadelphia, and solicits customers in and from Philadelphia to shop at its stores and purchase the retail products sold there.

4. At all times relevant hereto, Wal-Mart owned, controlled, operated, managed and maintained, either individually or jointly and either directly or through affiliated agencies, companies and entities, the Wal-Mart Store located at the above-captioned address (“the premises”).

5. At all times relevant hereto, Wal-Mart provided to the premises its private label brands, store programs, operating standards and supervisory support.

6. At all times relevant hereto, the acts or omissions of Wal-Mart were committed by its agents operating within the course and scope of their employment while performing the duties associated with that employment.

7. On September 9, 2020, at or about 12:30 p.m., plaintiff was lawfully on the premises when a Wal-Mart employee in the adjacent aisle pushed a stacked box containing a griddle pan from the top shelf, causing the box to fall into Plaintiff’s aisle and directly onto Plaintiff’s head, resulting in plaintiff suffering the injuries described herein.

8. Wal-Mart created the hazard by displaying merchandise high on the shelves adjacent to the aisles of the premises in such a manner as to create a likelihood that it would fall into the aisle creating a hazard for invitees such as Plaintiff, who were walking in the premises.

9. Wal-Mart was under a duty to maintain the premises in a condition safe for use by invitees such as the plaintiff.

10. In violation of the aforesaid duty, at the aforesaid date and time, Wal-Mart knew for a sufficient period prior thereto, or in the exercise of reasonable care, should have known that the premises was unsafe for their invitees.

11. At the time and place aforesaid, the negligence of Wal-Mart consisted of the following:

- (a) Failing to store merchandise in a safe manner on shelving units;
- (b) Failing to maintain the premises in a safe and proper condition;
- (c) Failing to inspect the premises at reasonable intervals;
- (d) Failing to give warnings to the plaintiff of the dangerous condition of the premises;
- (e) Failing to prevent the premises from being rendered dangerous and unsafe for use by an invitee;
- (f) Failing to correct the conditions that caused the premises to become unsafe;
- (g) Disregarding the rights and safety of the plaintiff and other persons lawfully using said premises;
- (h) Failing to use reasonable prudence and care to maintain said premises in a safe condition;
- (i) Failure to block access to the area;
- (j) Failing to enact policies and procedures for the inspection and organization of merchandise on the premises, including the inspection, organization and removal of merchandise on top shelves to prevent items from falling onto customers in the adjacent aisles;
- (k) Failing to enforce policies and procedures for the inspection and organization of merchandise on the premises, including the inspection, organization and removal of merchandise on top shelves to prevent items from falling onto customers in the adjacent aisles;
- (l) Failing to train store employees in the proper inspection, organization and removal of merchandise on the premises, including the proper inspection, organization and removal of merchandise from top shelves to prevent items from falling onto customers in the adjacent aisles.

12. As a direct result of the aforementioned negligence of Wal-Mart, plaintiff sustained injuries to her head and neck, as well as shock to the nerves and nervous system along with other injuries the extent of which have not been determined fully, causing great pain and suffering,

preventing plaintiff from attending plaintiff's usual duties and occupation, all of which may be permanent.

13. As a direct result of the negligence of Wal-Mart, plaintiff has been and may in the future be obliged to expend large and various sums of money to treat plaintiff's injuries.

14. As a direct result of the aforementioned negligence of Wal-Mart, plaintiff has suffered severe physical pain, mental anguish and humiliation and plaintiff may continue to suffer the same for an indefinite time in the future.

15. As a further result of the aforementioned negligence of Wal-Mart, Plaintiff has and may suffer a severe loss and impairment of her potential earning capacity and power, all of which will be to her great financial damage and loss.

WHEREFORE, Plaintiff Linda Foreacre demands damages against defendant Wal-Mart Stores, Inc. in an amount in excess of fifty thousand (\$50,000.00) dollars, together with interest, costs and damages for delay pursuant to Pa.R.C.P. 238.

**SILVERS, LANGSAM & WEITZMAN, P.C.**

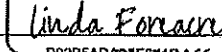
BY: /s John A. Lord  
JOHN A. LORD, ESQUIRE  
Attorneys for Plaintiff

DocuSign Envelope ID: D91AA371-38A0-45DD-B5CD-4575087E4281

VERIFICATION

I, Linda Foreacre, hereby state that I am the plaintiff in this action and verify that the statements of fact made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. The undersigned understands that this Verification is made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities

Dated: June 10, 2022

Signed:   
D02B5AD/931EPK10  
Plaintiff